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E-filed 1/11/06

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 05-00762-JF
12)
Plaintiff,)
13 v.) **STIPULATION AND [PROPOSED]**
JOSE PEPE PRADO,) **ORDER TO CONTINUE STATUS DATE**
14)
Defendant.)
15 _____)

16
17 Assistant United States Attorney Susan Knight and defendant, Jose Prado, through his
18 counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree that the status
19 date in the above-captioned matter, presently scheduled for January 11, 2006, at 9:00 a.m.,
20 should be continued to February 8, 2006 at 9:00 a.m.

21 The parties stipulate and agree that the status date should be continued because counsel
22 for Mr. Prado needs additional time to investigate this case and to collect prior criminal records
23 before she can advise Mr. Prado on whether or not he should file motions, enter a plea or proceed
24 to trial. Additionally, counsel for Mr. Prado is unavailable on January 11, 2006. The parties
25 further stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv), the ends of justice
26 served by the continuance requested outweigh the best interest of the defendant and public in a
speedy trial because the failure to grant such a continuance would unreasonably deny Mr. Prado
the time necessary for effective preparation, taking into account the exercise of due diligence.

1 SO STIPULATED.

2
3 Dated: January 6, 2006

_____/s/_____
ANGELA M. HANSEN
Assistant Federal Public Defender

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5
6 Dated: January 6, 2006

_____/s/_____
SUSAN KNIGHT
Assistant United States Attorney

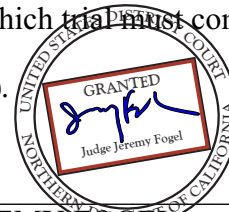
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-00762-JF
)	
Plaintiff,)	[PROPOSED] ORDER CONTINUING
)	STATUS DATE AND EXCLUDING
v.)	TIME
)	
JOSE PEPE PRADO,)	
)	
Defendant.)	
_____)	

The parties have jointly requested to continue the status date and good cause appearing, IT IS HEREBY ORDERED that the status date presently set for January 11, 2006 at 9:00 a.m. is continued to February 8, 2006 at 9:00 a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from January 11, 2006 through and including February 8, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv).

Dated: January 11, 2006



JEREMY FOGEL
United States District Judge

1 Distribute to:

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